IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 361 OF 2006

Mahadev Nilappa Janmale... .... .. Applicant.

Versus

The State of Maharashtra. .... Respondent.

Mr. U. R. Agandsurve for the Applicant.

Ms. S. V. Gajre, APP for the State.

CORAM : V. M. KANADE, J.

DATED : 15TH FEBRUARY, 2006.

P.C.:

Heard learned Counsel for the Applicant and the learned APP for the State.

2. The Applicant has been arrested in connection with the offence punishable under Section 307 of the Indian Penal Code. The prosecution’s case is that there was a quarrel between the Accused and one person and the victim intervened in the said quarrel and tried to pacify the two persons who were quarrelling. However, the Applicant blew an axe on the head of the victim as a result of which he sustained injury. There was an

incised wound on his head. He was admitted in the hospital on 30th September, 2005 and was discharged on 16th October, 2005. Charge sheet has been filed. Since the incident had taken place all of a sudden and there was no premeditation in the attack of the Applicant, in my view, the Applicant has made out a case for grant of bail.

3. The Applicant be released on bail in the sum of Rs.5,000/- with one or two sureties in the like amount. He shall, however, not enter the jurisdiction of Solapur Taluka Police Station till the disposal of the trial. He shall give his fresh address to the Superintendent of Jail before his release and shall also furnish to the nearest police station from his new address.

4. The Application is disposed of in the terms aforesaid.

Sd/-

(V. M. KANADE, J.)